

REMARKS

Status of Claims

Claims 1 and 3-18 remain for examination.

Claim Objection

Claim 1 has been objected to based on the spelling error noted in paragraph 3 of the outstanding office action. Claim 1 has been amended to remove this error.

Prior Art Rejections

Claims 1, 3-4 and 6-18 stand rejected under 35 U.S.C. § 103 as obvious over (6,035,278). Claim 5 stand rejected under 35 U.S.C. § 103 as obvious over Yonemitsu, Mansour and Van Horne.

The examiner's rejections are respectfully traversed.

Applicant has amended Claim 1 which now recites:

1. (Currently Amended) A schedule information system comprising:

schedule data storage means in which users' schedule data are stored;

information service means, including an internet-based search engine, for providing users with first related information from an internet search based on said user's schedule data;

related service search means for searching the information service means for information that relates to the schedule data stored in the schedule data storage means and provides the information as the first related information from an internet search based on an internet search based on said user's schedule data; and

information service data storage means for storing second related information summarizing a subject matter of the first related information provided by the information service means;

wherein the related service search means includes means which, in response to users' instructions to search related services or to consult schedule data, acquires the first related information

from information service means and outputs the first related information to the users ; and

wherein the related service search means includes a means for searching the information service data storage means in response to users' instructions or control; and means for outputting to the users, along with the schedule data said first and second related information;

said first and second related information being other than schedule data of another user. (Emphasis added).

As may be seen from the above emphasized portions of the claim, the information service means is recited to include an internet-based search engine which provides the user with first related information from an internet search based said user's schedule data.

Information data storage means is also provided for storing second related information which is a summary of the subject matter of the first related information. A response to a user instruction, for example, the related service search means includes a means for searching the information service data means and means for outputting to the user along with the schedule data the first and second related information. Moreover, Claim 1 recites that the first and second related information are other than the scheduled data of another user.

The examiner has indicted that Figure 3 of Yonemitsu shows applicant' recited "information service`data storage means for storing second related information summarizing the first related information provided by the information service means". However, this is incorrect since Fig. 3 of Yonemitsu shows the definition data storage unit which is element 107 in Yonemitsu Fig. 1. This definition data

"defines the manner in which a schedule data display request or a reservation registration request is processed upon receipt thereof, in accordance with the schedule reservation state. In the case of FIG. 3, the system displays the schedule data approved or unread, but does not display the schedule data disapproved or suspended, upon receipt of a request for displaying the schedule data." (Emphasis added) Column 3, lines 36-40.

It may thus be seen that the definition data storage unit of Yonemitsu defines the manner in which the information in which the schedule data store unit is displayed but it

does not summarize a content thereof. As such, applicant's claim 1 recites limitations that are neither disclosed nor made obvious over the Yonemitsu. The secondary reference of Mansour likewise does not supply this missing ingredient and thus the combined teachings of Yonemitsu and Monsour do not teach applicant's recited claim limitations.

Further the examiner has cited Yonemitsu for teaching the first related information from the information service means which is recited to include an internet-based search engine. While it is true that Yonemitsu shows clients 102-1 and 102-2 in communication via a communication network 110 to a schedule management server 103, Yonemitsu certainly does not disclose that either client 102-1 or 102-2 should perform an internet search of related information to augment the schedule data being communicated to the schedule management server 103. Moreover, Yonemitsu does not disclose that the schedule management server 103 should perform such an internet search. The fact the internet searches are *per se* known, or the **possibility** that the Yonemitsu, in the examiner's words "**could include** an internet based search engine" **is not sufficient** to establish a *prima facie* case of obviousness. Many things are well known in the art, but the test of obviousness is based on the obviousness of the teachings of the prior art measured against the claimed limitations. As most inventions are combinations of limitations which may be individually known in the art, the courts have made it clear that it is the references themselves that must suggest or motivate one to combine the various prior art teachings to arrive at applicant's claimed invention taken as a whole. This is certainly not the case here as there is no motivation within either the primary or secondary references to perform in internet search to obtain and make available the first related information as claimed by applicant.

The above discussed limitations clearly differentiate applicant's invention from the primary Yonemitsu reference. Yonemitsu is directed toward scheduling appointments between different users and, as may readily be seen from examining Figures 5-8, a particular user's schedule may be modified with a meeting date proposed by a second user. In contrast, applicant's claims utilize an internet-based search engine to search for related information (first related information) which is related to the schedule data but which is not scheduled data of another user.

The enumerated limitations of applicant's Claim 1 clearly differentiate applicant's invention from the primary and secondary references. It is thus submitted that the PTO has

not made out a *prima facie* case of obviousness under the provisions of 35 U.S.C. § 103, and thus applicants claims are patentable over the prior art.

Claims 3-18 are all dependent, directly or indirectly, upon independent Claim 1 and are thus deemed patentable at least for the same reasons indicated above with regard to Claim 1 from which they claims depend.

The § 103 rejection as to Claim 5 is deemed to be overcome in as much as the primary reference fails to disclose the above discussed limitations of applicant's independent Claim 1 and these deficiencies are not supplied by the additional secondary reference of Van Horne. As such, the Patent and Trademark Office has not made out a primary case of obviousness under 35 U.S.C. § 103.

Conclusions

It is submitted that the application is now in condition for allowance and early indication of same is earnestly solicited.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

Date November 14, 2005

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